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General Assembly

Forty-ninth Session

Official Records

96th Meeting

Thursday, 26 January 1995, 10 a.m.

New York

President: Mr. Essy . . . . . (Côte d'Ivoire)

In the absence of the President, Mr. Mwaungulu (Malawi), Vice-President, took the Chair.

The meeting was called to order at 10.50 a.m.

Earthquake in Japan

The President: May I, on behalf of all the members of the Assembly, extend our deepest sympathy to the Government and the people of Japan on the tragic loss of life and extensive material damage which have resulted from the recent earthquake.

May I also express the hope that the international community will show its solidarity and respond promptly and generously to any request for help.

I now call on the representative of Japan.

Mr. Maruyama (Japan): On behalf of my Government, I would like to express deepest appreciation for the sympathy and condolences expressed by His Excellency the President, the General Assembly and its Member States to the people and the Government of Japan in connection with the recent earthquake. I shall certainly convey those warm messages to my Government. They will be a source of encouragement to the many Japanese people who are suffering as a result of the disaster, and to those who are tirelessly engaged in emergency rescue and relief activities as well as rehabilitation and reconstruction efforts.

Agenda item 112 (*continued*)

Scale of assessments for the apportionment of the expenses of the United Nations (Article 19 of the Charter) (A/49/838)

The President: I should like, in keeping with the established practice, to invite the General Assembly to turn its attention to document A/49/838, which contains a letter addressed to the President of the General Assembly by the Secretary-General in which he informs the Assembly that 25 Member States are in arrears in the payment of their financial contributions to the United Nations within the terms of Article 19 of the Charter.

I should like to remind delegations that, under Article 19 of the Charter,

> "A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years."

May I take it that the General Assembly duly takes note of this information?

It was so decided.

95-85080 (E)

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Agenda item 15 *(continued)*

Elections to fill vacancies in principal organs

(c) Election of a member of the International Court of Justice

Memorandum of the Secretary-General (A/49/827)

List of candidates nominated by national groups: notes by the Secretary-General (A/49/828 and Add.1, A/49/837)

Curriculum vitae of the candidate nominated by national groups: note by the Secretary-General (A/49/829)

The President: In accordance with resolution 951 (1994), adopted by the Security Council on 21 October 1994, the General Assembly will proceed this morning to the election of a member of the International Court of Justice for the unexpired term of office of the deceased Judge Nikolai Konstantinovitch Tarassov of the Russian Federation.

In connection with this election, I should like to bring the following matters to the attention of the members of the General Assembly.

First, in accordance with General Assembly resolution 264 (III) of 8 October 1948, a State which is a party to the Statute of the International Court of Justice but not a Member of the United Nations shall participate in the General Assembly in electing the members of the Court in the same manner as the States Members of the United Nations. On this occasion I am happy to welcome here the representatives of Nauru and Switzerland.

Secondly, I should like to confirm that at this time the Security Council, independently of the General Assembly, is also proceeding to elect one member of the Court. This procedure is in accordance with Article 8 of the Statute of the Court, which provides that

> "The General Assembly and the Security Council shall proceed independently of one another to elect the members of the Court."

Accordingly, the results of the voting in the General Assembly will not be communicated to the Security Council until one candidate has obtained the required majority in the Assembly.

Thirdly, I should like to draw the attention of the General Assembly to the documents relating to the election. The Assembly has before it document A/49/827, which contains a memorandum by the Secretary-General on the present composition of the Court and the procedure to be followed in the General Assembly and in the Security Council with regard to the election; documents A/49/828 and A/49/828/Add.1, which contain the name of the candidate who has been nominated by national groups within the required time for submission, that is, by 10 January 1995; document A/49/837, providing information concerning nominations received from national groups after 10 January 1995; and document A/49/829, which contains the curriculum vitae of the candidate nominated by national groups.

In accordance with Article 10, paragraph 1, of the Statute of the Court, the candidate who obtains an absolute majority of votes both in the General Assembly and in the Security Council shall be considered as elected. For the present election, 94 votes constitute an absolute majority in the General Assembly. If on the first ballot no candidate obtains an absolute majority, it will be necessary to proceed to other ballots until a candidate has obtained that majority.

The General Assembly will now proceed to a secret ballot.

Ballot papers will now be distributed.

Representatives are requested to use only the ballot papers now being distributed and to place a cross to the left of the name of the candidate for whom they wish to vote. Votes may be cast only for the candidate whose name appears on the ballot papers.

At the invitation of the President, Mr. Pacheco (Brazil), Mr. Kotrokois (Greece), Mr. Najem (Lebanon) and Mrs. Bwomezi (Uganda) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 11.15 a.m. and resumed at 11.45 a.m.

The President: The result of the voting is as follows:

Number of ballot papers:	130
Number of invalid ballots:	0
Number of valid ballots:	130
Abstentions:	2
Number of members voting:	128
Required absolute majority:	94
Number of votes obtained:	
Mr. Vladlen S. Vereshchetin (Russian Federation)	128

The President: Mr. Vladlen S. Vereshchetin of the Russian Federation has obtained the required absolute majority in the General Assembly.

I have communicated the result of the voting to the President of the Security Council.

I have received from the President of the Security Council the following letter, dated 26 January 1995:

> "I have the honour to inform Your Excellency that at the 3493rd meeting of the Security Council, held for the purpose of electing a member of the International Court of Justice who will occupy a seat until 5 February 1997, Mr. Vladlen S. Vereshchetin obtained the required absolute majority."

As a result of the independent voting in the Security Council and in the General Assembly, Mr. Vladlen S. Vereshchetin of the Russian Federation, having obtained the absolute required majority in both organs, is duly elected a member of the International Court of Justice for a term of office expiring on 5 February 1997. I take this opportunity to extend to him the Assembly's congratulations on his election and to thank the tellers for their assistance.

We have thus concluded our consideration of sub-item (c) of agenda item 15.

Agenda item 17 (*continued*)

Appointments to fill vacancies in subsidiary organs and other appointments

(i) Appointment of members of the Committee on Conferences

The President: Members will recall that, at the 75th plenary meeting, on 5 December 1994, the President informed the Assembly that, following consultations with the Chairmen of the regional groups, he had appointed Belgium, Ghana, Latvia and Senegal as members of the Committee on Conferences, with effect from 1 January 1995. However, one seat from among the Asian States and two seats from among the Latin American and Caribbean States remained vacant.

Following further consultations with the Chairmen of the Groups of Asian States and Latin American and Caribbean States, the President has appointed the Bahamas and the Islamic Republic of Iran as members of the Committee on Conferences, with effect from today. Their term of office will expire on 31 December 1997.

May I take it that the Assembly takes note of these appointments?

It was so decided.

The President: Regarding the remaining seat to be filled from among the Latin American and Caribbean States, the President intends to hold further consultations with the Chairman of the Group concerned. Therefore, I propose that the Assembly keep sub- item (i) of agenda item 17 on the agenda of the forty-ninth session.

If I hear no objection, I shall take it that the Assembly agrees to that procedure.

It was so decided.

The President: We have thus concluded this stage of our consideration of sub-item (i) of agenda item 17.

The meeting rose at 11.50 a.m.